

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Ohio Valley University

Bk. No.: 22-00056

Debtor.

TO: All Parties in Interest

**NOTICE OF PUBLIC SALE OF PROPERTY FREE AND
CLEAR OF LIENS AND OF TELEPHONIC AUCTION**

By Motion filed herein on June 1, 2022 (Doc. No. 34), the Trustee requested authority to sell certain real property described as coal interests in the following Counties: Barbour, County; Boone County; Braxton County; Brooke County; Cabell County; Calhoun County; Fayette County; Gilmer County; Greenbrier County; Harrison County; Jackson County; Kanawha County; Lewis County; Logan County; Marion County; Mason County; McDowell County; Mercer County; Mineral County; Mingo County; Monongalia County; Nicholas County; Ohio County; Pleasants County; Preston County; Putnam County; Raleigh County; Randolph County; Roane County; Taylor County; Upshur County; Wayne County; Webster County; Wetzel County; Wirt County; and Wyoming County, subject to upset bids. The Trustee provided that in an event of an upset bid that he would convene an auction to determine the high bidder and the back up bidder. The Trustee has received an upset bid.

YOU ARE HEREBY NOTIFIED that the Trustee proposes to conduct an oral telephonic auction of the property to determine the high bidder and any qualified back up bidder according to the terms and conditions stated below. A motion to sell has been filed with the Clerk of the Court regarding this sale. A telephonic auction for the sale and determination of the back up bidder will be held on:

DATE: October 5, 2022
TIME: 3:00 p.m. EST

Telephonic conference number: **866-675-0153**, enter access code: **7747988**.

All bidders are requested to call the conference number at 3:00 p.m. EST and when prompted dial the access code followed by the # sign.

TYPE OF SALE: Public

PROPERTY TO BE SOLD: real property described as coal interests in the following Counties: Barbour, County; Boone County; Braxton County; Brooke County; Cabell County; Calhoun County; Fayette County; Gilmer County; Greenbrier County; Harrison County; Jackson County; Kanawha

County; Lewis County; Logan County; Marion County; Mason County; McDowell County; Mercer County; Mineral County; Mingo County; Monongalia County; Nicholas County; Ohio County; Pleasants County; Preston County; Putnam County; Raleigh County; Randolph County; Roane County; Taylor County; Upshur County; Wayne County; Webster County; Wetzel County; Wirt County; and Wyoming County

PRICE: The upset offer received to prompt this Notice was \$30,000.00

APPRAISAL/TRUSTEE VALUE: Minimum value \$20,000.00

BUYER: The Trustee has received one upset bid of \$30,000.00

PLACE AND TIME OF SALE: The Trustee, Thomas H. Fluharty will conduct the auction on the day and time listed above.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC: N/A

ESTIMATED TRUSTEE'S COMPENSATION: Approximately \$3,750.00 based on a \$30,000.00 sales price.

BIDDERS: The initial application to sell was to Tusc Land, LLC. The potential upset bidder is Cranehill Capital, LLC., 5206 McKinney Avenue, Suite 204, Dallas, TX 75205" If no upset bidder participates in the auction, the Trustee will seek authority to close the sale based on the offer of Tusc Land, LLC. If the prevailing bidder fails to deposit payment in full within 15 days of the auction, the Trustee will accept the second highest bid as the prevailing bid.

The Trustee will offer the properties by county and, for the counties that are bid, as a group and, collectively for all of the counties indicated. The Trustee will ask the Court to confirm the sale to the highest bidder(s).

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: UMB Bank, N.A.,

DEBTOR'S EXEMPTION: N/A

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$30,000.00

Date: September 23, 2022

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee
WV Bar No.: 1231

408 Lee Avenue
Address

Clarksburg, West Virginia

304-624-7832
Telephone

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF PUBLIC SALE OF PROPERTY FREE AND CLEAR OF LIENS AND OF TELEPHONIC AUCTION** was serviced upon the following individuals at the addresses listed below, by placing a true and correct copy thereof in the U.S. mail, postage prepaid, on this 23rd day of September, 2022.

Cranehill Capital, LLC.
5206 McKinney Ave, Ste 204
Dallas, TX 75205

Tusc Land, LLC.
P.O. Box 31
New Philadelphia, OH 44663
mkitchen1515@yahoo.com

Shawn P. George, Esquire
George & Lorensen, PLLc
1526 Kanawha Blvd, East
Charleston, WV 25311

Charles E. Nelson, Esquire
Ballard Spahr, LLP
2000 IDS Center
80 S. 8th Street
Minneapolis, MN 55402

Clarence & Mary Mutschelknaus
Post Office Box 351
Salem, WV 26426

Ryan C. Scott
Terre Verte Company, Inc.
1110 Oliver Avenue
San Diego, CA 92109
ryan@terreverteco.com

Joel Pearce
3406 Via Lido, Suite 1A-400
Newport Beach, CA 92663
joel.pearce@outlook.com

Spencer Brant
LHB Ventures, LLC
Littleton, CO 80127
info@lhbcompanies.com

David Pullman
The Pullman Group
dpullman@pullmanbonds.com

Kris K. Pitta
Prudent Resources, LLC.
pitta@prudentresourcesllc.com

McCulliss Oil & Gas, Inc.
P.O. Box 221515
Denver, CO 80222
bpm@mccullissoil.com

Served electronically on:

Martin P. Sheehan, Esquire
Martin@MSheehanlaw.net
Counsel for Debtor

Office of the U.S. Trustee
ustpregion04.ct.ecf@usdoj.gov

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee